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General and complete disarmament: treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

Canada, Germany and Netherlands: revised draft resolution

Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

The General Assembly,

Recalling its resolutions 48/75 L of 16 December 1993, 53/77 I of 4 December 1998, 55/33 Y of 20 November 2000, 56/24 J of 29 November 2001, 57/80 of 22 November 2002, 58/57 of 8 December 2003, 59/81 of 3 December 2004, 64/29 of 2 December 2009, 65/65 of 8 December 2010, 66/44 of 2 December 2011 and 67/53 of 3 December 2012, its decisions 68/518 of 5 December 2013 and 69/516 of 2 December 2014, as well as its resolution 70/39 of 7 December 2015 on the subject of banning the production of fissile material for nuclear weapons or other nuclear explosive devices,

Recalling also document CD/1299 of 24 March 1995, which indicated that all members of the Conference on Disarmament had agreed that the mandate to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would not preclude any delegation from raising for consideration, in negotiations, any issue noted therein,

Reaffirming the importance of ensuring continued international commitment and high-level attention to making practical progress on achieving a world without nuclear weapons and on non-proliferation in all its aspects,

Mindful of the continuing importance and relevance of the Conference on Disarmament and recalling the past achievements of that body in successfully negotiating non-proliferation and disarmament agreements,

Expressing frustration at the years of stalemate in the Conference on Disarmament, and looking forward to the Conference again fulfilling its mandate as the world's single multilateral disarmament negotiating forum,

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Recalling action 15 of the conclusions and recommendations for follow-on actions agreed by consensus at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons[1] that, inter alia, the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced programme of work, immediately begin negotiation of a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices in accordance with the report of the Special Coordinator of 1995 (CD/1299) and the mandate contained therein,

Convinced that a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would represent a significant practical contribution to nuclear disarmament and non-proliferation efforts,

Recognizing the essential role of fissile material in the manufacture of nuclear weapons or other nuclear explosive devices and the long-standing efforts of the international community to negotiate a treaty that would ban its production for such purposes,

Recognizing also that a future treaty should not prohibit the production of fissile material for non-proscribed military purposes or civilian use, consistent with the obligations of State parties, nor interfere in any other way with a State's right to peaceful uses of nuclear energy,

Noting with appreciation the submissions by Member States to the Secretary-General containing views on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, including possible aspects thereof, and the subsequent reports submitted by the Secretary-General to the General Assembly at its sixty-eighth[2] and seventy-first sessions,[3]

Welcoming the adoption by consensus of the report of the Group of Governmental Experts, mandated pursuant to resolution 67/53, as contained in document A/70/81,

Underlining that the report of the Group of Governmental Experts, mandated in resolution 67/53, as contained in document A/70/81, and the deliberations which underpin it, serve as a valuable reference for States and should be a useful resource for negotiators of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices,

Taking note of the conclusion of the Group of Governmental Experts that the various perspectives of States on a treaty should not be an obstacle to the commencement of negotiations,

1. *Urges* the Conference on Disarmament to agree on and implement at its earliest opportunity a balanced and comprehensive programme of work that includes the immediate commencement of negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices on the basis of document CD/1299 and the mandate contained therein;

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[1] See *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vol. I (NPT/CONF.2010/50 (Vol. I)), part I, *Conclusions and recommendations for follow-on actions*.

[2] A/68/154 and Add.1.

[3] A/71/140/Rev.1 and Add.1.

2. *Requests* the Secretary-General to establish a high-level fissile material cut-off treaty (FMCT) expert preparatory group with a membership of 25 States, chosen on the basis of equitable geographical representation, which will operate by consensus,[4] without prejudice to national positions in future negotiations, and which will meet in Geneva for a session of two weeks in each of 2017 and 2018, to consider and make recommendations on substantial elements of a future non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, on the basis of CD/1299 and the mandate contained therein; the high-level FMCT expert preparatory group will also examine, with a view to making possible recommendations, the report of the Group of Governmental Experts, mandated pursuant to resolution 67/53, as contained in document A/70/81, as well as the views submitted by Member States as contained in documents A/68/154 and Add.1 and A/71/140 and Add.1;

3. *Requests* the Chair of the high-level FMCT expert preparatory group to organize, in New York, two two-day informal consultative meetings, open-ended so that all Member States can engage in interactive discussions and share their views, which the Chair shall convey to the high-level FMCT expert preparatory group for consideration; the first meeting will convene in 2017 to consider the report of the Group of Governmental Experts, as contained in document A/70/81, the second in 2018 in order for the Chair to provide a report in his own capacity on the work of the high-level FMCT expert preparatory group;

4. *Calls upon* the Secretary-General to transmit the report of the high-level FMCT expert preparatory group to the General Assembly at its seventy-third session and to the Conference on Disarmament prior to its 2019 session;

5. *Invites* the Conference on Disarmament to examine the report of the high-level FMCT expert preparatory group and consider further action, as appropriate;

6. *Decides* that, should the Conference on Disarmament agree upon and implement a balanced and comprehensive programme of work that includes the negotiation of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, all activities mandated by the present resolution shall conclude and the work of the high-level FMCT expert preparatory group shall be submitted to the Secretary-General for onward transmittal to the Conference on Disarmament;

7. *Requests* the Secretary-General to render the high-level FMCT expert preparatory group and its Chair all the necessary assistance, including the provision of relevant documents;

8. *Decides* to include in the provisional agenda of its seventy-second session, under the item entitled "General and complete disarmament", the sub-item entitled "Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices".

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[4] The high-level FMCT expert preparatory group will be governed by the rules and established practices applicable to groups of governmental experts.